

1-1 By: Allen (Senate Sponsor - Ellis) H.B. No. 1544
 1-2 (In the Senate - Received from the House May 6, 2013;
 1-3 May 7, 2013, read first time and referred to Committee on Criminal
 1-4 Justice; May 17, 2013, reported favorably by the following vote:
 1-5 Yeas 7, Nays 0; May 17, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			

1-15 A BILL TO BE ENTITLED
 1-16 AN ACT

1-17 relating to the authority of a county to contract with a private
 1-18 vendor for the operation of a detention facility.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Section 351.102, Local Government Code, is
 1-21 amended to read as follows:

1-22 Sec. 351.102. ADDITIONAL AUTHORITY TO CONTRACT. The
 1-23 commissioners court of a county may contract with a private vendor
 1-24 to provide for the financing, design, construction, leasing,
 1-25 operation, purchase, maintenance, or management of a jail,
 1-26 detention center, work camp, or related facility. The
 1-27 commissioners court may not award a contract under this section
 1-28 unless the commissioners court requests proposals by public notice
 1-29 and not less than 30 days from such notice receives a proposal that
 1-30 meets or exceeds the requirements specified in the request for
 1-31 proposals. Before the commissioners court of a county enters into a
 1-32 contract under this section, the commissioners court of the county
 1-33 must receive the written approval of the sheriff of the county,
 1-34 which written approval shall not be unreasonably withheld, or if
 1-35 the county has a population of 2.8 million or more:

1-36 (1) consult with the sheriff regarding the feasibility
 1-37 of ensuring [ensure] that all services provided under the contract
 1-38 are required to meet or exceed standards set by the Commission on
 1-39 Jail Standards; or

1-40 (2) receive the written approval of the sheriff of the
 1-41 county, which written approval shall not be unreasonably withheld.

1-42 SECTION 2. The change in law made by this Act applies only
 1-43 to a contract entered into on or after the effective date of this
 1-44 Act. A contract entered into before the effective date of this Act
 1-45 is governed by the law in effect when the contract was entered into,
 1-46 and the former law is continued in effect for that purpose.

1-47 SECTION 3. This Act takes effect immediately if it receives
 1-48 a vote of two-thirds of all the members elected to each house, as
 1-49 provided by Section 39, Article III, Texas Constitution. If this
 1-50 Act does not receive the vote necessary for immediate effect, this
 1-51 Act takes effect September 1, 2013.

1-52 * * * * *